

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

RUTH SMITH, Individually and as Widow for the)	
Use and Benefit of Herself and the Next Kin of)	
Richard Smith, Deceased,)	
)	
Plaintiff,)	Civil No. 3:05-0444
)	Judge Aleta A. Trauger
v.)	(Dist. Of MA No.
)	1:05-cv-11515PBS)
PFIZER, INC., <i>et al.</i> ,)	
)	
Defendants.)	

DEFENDANTS' MOTION *IN LIMINE*
TO EXCLUDE THE TESTIMONY OF CHARLES KING

Pursuant to Federal Rules of Evidence 401, 402, 403, 702, and 703, Defendants, Pfizer Inc and Warner-Lambert Company LLC (collectively, "Defendants" or "Pfizer"), respectfully move this Court for an order *in limine* excluding from trial the testimony of Professor Charles King, III, an economist whom Plaintiff has designated as an expert witness. Professor King's testimony is inadmissible because it is irrelevant to the particular facts of this case, substantially prejudicial, and the product of unreliable methodology. Accordingly, Professor King's testimony must be excluded in its entirety. The grounds for this motion are set forth in more detail in the accompanying memorandum of law. Also submitted in support of this motion is a Declaration of Mark S. Cheffo.

WHEREFORE, Defendants respectfully request that this Court exclude from trial the testimony of Professor Charles King, III.

Dated: April 16, 2010

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this the 16th day of April 2010, I electronically filed the foregoing document with the Clerk of the Court, United States District Court for the Middle District of Tennessee, using the CM/ECF system. True and correct copies of the foregoing documents are being served via the Court's CM/ECF system on the following:

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